

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 03-00284-01 MHP

Plaintiff(s),

**ORDER REVOKING AND  
REINSTATING SUPERVISED RELEASE  
AND JUDGEMENT**

v.

STEPHON JONES,

Defendant(s).

This matter came on pursuant to an Order to Show Cause why supervised release should not be revoked. Defendant appeared in person with his attorney Mary McNamara. The United States was represented by Assistant United States Attorney Ben Tokloff.

The defendant was advised of the following:

1. His right to a hearing on the alleged violations of supervised release;
2. His right to confront and cross-examine witnesses;
3. His right to produce evidence and witnesses at the hearing without cost to him if he could not afford the same;
4. His right to continue to have court appointed counsel represent him throughout the proceedings; and
5. The nature of the revocation proceedings and the consequences if a violation was found and supervised release revoked or modified.

The court finds that defendant was fully advised of his constitutional and statutory rights in connection with these proceedings either as a basis for modification or revocation; that he fully understands the nature of the proceeding and the defenses that he may assert in the proceeding; that he fully understands the consequences of the proceeding; and that he freely and voluntarily waives

1 his right to a hearing, his counsel consenting thereto.

2 The court finds that the defendant has admitted to the violations as alleged in the petition to  
3 revoke and that such violations are sufficient cause to revoke supervised release.

4  
5 Charge 1: Violation of Standard Condition Two in that defendant failed to submit a  
6 written report within the first five days of each month for January, February,  
7 March, April, and May 2009.

8 Charge 2: Violation of Standard Condition Two which states that defendant shall report  
9 the US Probation Officer as directed in that defendant failed to report for a  
10 scheduled appointment on April 27, 2009;

11 Charge 3: Violation of Standard Condition One which states that defendant shall not  
12 leave the judicial district without prior permission of the Court or US  
13 Probation Officer in that on May 6, 2009, the officer received a voice mail  
14 message stating that defendant was working for Quality Trucking, and that  
15 defendant was attending an eight-week training course in Missouri, without  
16 prior approval of the US Probation Officer;

17 Charge 4: Violation of Standard Condition Seven which states that defendant shall  
18 refrain from excessive use of alcohol and shall not use any controlled  
19 substance in that defendant submitted a urinalysis test on January 20, 2009,  
20 with resulted in a presumptive positive for marijuana;

21 Charge 5: Violation of Standard Condition Six which states that defendant shall notify  
22 the US Probation Officer at least ten days prior to any change in employment  
23 in that on January 20, 2009, defendant failed to report his change of  
24 employment from First Premier Freight to Quality Trucking;

25 Charge 6: Violation of Standard Condition Three which states that defendant shall  
26 follow the instructions of the probation officer in that on January 20, 2009,  
27 defendant failed to provide verification of employment and college transcript  
28 to verify his endeavors as requested by the probation officer;

1 Charge 8: Violation of Standard Condition which states that defendant shall not commit  
2 another federal, state, or local crime in that on November 8, 2009, defendant  
3 was arrested for possession of Schedule 1 Controlled Substance and Driving a  
4 Vehicle without a Registration;

5 Charge 9: Violation of Standard Condition One which states that defendant shall not  
6 leave the judicial district without permission of the Court or probation officer  
7 in that on November 8, 2009, defendant was arrested in Flowood, Mississippi  
8 for Possession of Schedule 1 Controlled Substance and Driving a Vehicle  
9 without a Registration, and defendant had not been granted permission to  
10 travel outside the district by probation officer;

11 Charge 10: Violation of Standard Condition Eleven which states that defendant shall  
12 notify his probation officer within seventy-two hours of being arrested or  
13 questioned by law enforcement, in that on November 8, 2009, defendant was  
14 arrested for charges enumerated in charge eight of this petition, and to date  
15 has failed to report arrest to his probation officer.

16 Based on the foregoing,

17 IT IS ADJUDGED that Supervised Release is hereby REVOKED AND REINSTATED for  
18 a further Term of Supervised Release of six (6) months, with all previously ordered conditions of  
19 release to remain in full effect. Additional conditions of release as follows:

- 20 1. Custody of BOP for a period of two (2) months, stayed pending further order of  
21 Court.
- 22 2. The defendant shall submit his/her person, residence, office, vehicle, or any property  
23 under his/her control to a search. Such a search shall be conducted by a United States  
24 Probation Officer, and/or other law enforcement officer, at a reasonable time and in a  
25 reasonable manner, based upon reasonable suspicion of contraband or evidence of a  
26 violation of a condition of release. Failure to submit to such a search may be grounds  
27 for revocation; the defendant shall warn any residents that the premises may be  
28 subject to searches.

Count seven (7 ) of the petition is dismissed. Defendant shall be released forthwith

Dated: March 1, 2010

  

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MARILYN HALL PATEL  
United States District Court

**United States District Court**  
For the Northern District of California